



ADMINISTRATION AND  
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
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WASHINGTON, DC 20301-1950

FEB 26 2015

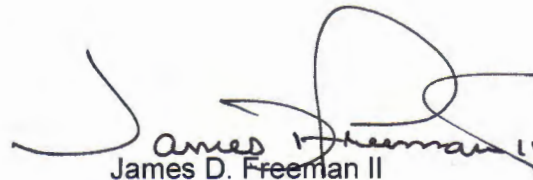
MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT  
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter and Membership Balance Plan Consultation – *Board on Coastal Engineering Research*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Board on Coastal Engineering Research* (attached). The Board will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and in accordance with 41 CFR § 102-3.50.

Prior to filing the Board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the proposed charter and membership balance plan (attached). Both documents has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Betty Mosher at 703-697-4555.



James D. Freeman II  
Advisory Committee Management  
Officer for the Department of Defense

Attachments  
Proposed Charter  
Proposed Membership Balance Plan

Charter  
Board on Coastal Engineering Research

1. Committee's Official Designation: The committee will be known as the Board on Coastal Engineering Research ("the Board").
2. Authority: The Secretary of Defense, pursuant to 33 U.S.C. § 426-2 and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established this non-discretionary Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on the field of coastal engineering research, as set out in paragraph (four) below.
4. Description of Duties: The Board shall provide the Coastal and Hydraulics Laboratory, which includes the Coastal Engineering Research Center, through the Chief of Engineers/Commander ("the Chief of Engineers"), U.S. Army Corps of Engineers ("the Corps of Engineers"), independent advice and recommendations on coastal engineering research priorities and additional functions as assigned by the Chief of Engineers.
5. Agency or Official to Whom the Board Reports: The Board shall report to the Secretary of the Army, through the Chief of Engineers/Commander, U.S. Army Corps of Engineers. The Chief of Engineers/Commander, U.S. Army Corps of Engineers, may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the Corps of Engineers, provides the necessary support for the Board and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$298,000. The estimated annual personnel cost to the DoD is 2.0 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee appointed in accordance with governing DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and any of its subcommittees for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to established DoD policies and procedures, shall attend the entire duration of the Board or any subcommittee meeting.

The DFO, or the Alternate DFO, shall call all meetings of the Board and its subcommittees; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the



Charter  
Board on Coastal Engineering Research

Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Board's President. The estimated number of Board meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 33 U.S.C. § 426-2.
12. Membership and Designation: The Board, pursuant to 33 U.S.C. § 426-2, shall be composed of seven members who are appointed by the Secretary of Defense or the Deputy Secretary of Defense

DoD, pursuant to the authorizing legislation, shall appoint four officers of the Corps of Engineers to the Board as ex officio appointments, with one position being occupied by the Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers. The Chief of Engineers, in consultation with the Assistant Secretary of the Army (Civil Works), shall determine which three of the eight coastal division commanders shall be nominated as the other ex officio members of the Board. The Chief of Engineers, in determining which of the coastal division commanders shall serve on the Board, shall consider the individual's tenure as a division commander and his or her expertise in the matters before the Board.

The three civilian Board members shall be civilian engineers recommended by the Chief of Engineers for their expertise in the field of beach erosion, shore protection, and coastal processes and infrastructure.

The Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers, shall serve as the President of the Board.

Board members who are not full-time or permanent part-time Federal officers or employees shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal officers or employees shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members.

The Secretary of Defense, or the Deputy Secretary of Defense, may approve the appointment of civilian Board members and the three coastal division commanders for terms of service of one-to-four years with annual renewals. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service.

Charter  
Board on Coastal Engineering Research

Pursuant to section 105 of Public Law 91-611, Board members, who are not full-time or permanent part-time Federal officers or employees, may be paid at rates not to exceed the daily equivalent of the rate for a GS-15, step 10, for each day of attendance at Board meetings, not to exceed 30 days per year, in addition to travel and other necessary expenses connected with their official duties on the Board, in accordance with the provisions of 5 U.S.C. §§ 5703(b), (d), and 5707. RGE members may be reimbursed for official Board-related travel and per diem.

13. Subcommittees: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the DoD sponsor.

Such subcommittees shall not work independently of the Board and shall report all of their recommendations and advice solely to the Board for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or its members can update or report, verbally or in writing, on behalf of the Board, directly to the DoD or to any Federal officer or employee.

The Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Board.

Subcommittee members, if not full-time or part-time Federal officers or employees, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will serve as RGE members pursuant to 41 C.F.R. § 102-3.130(a).

Each subcommittee member is appointed to provide advice to the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Subcommittee members may be compensated, and shall be allowed travel expenses, in the same manner as the Board members.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26, and governing DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date: March 1, 2015



Membership Balance Plan  
Board on Coastal Engineering Research

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, pursuant to 33 U.S.C. § 426-2, and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established the Board on Coastal Engineering ("the Board").
2. Mission/Function: The Board shall provide the Coastal and Hydraulics Laboratory, which includes the Coastal Engineering Research Center, through the Chief of Engineers/Commander ("the Chief of Engineers"), U.S. Army Corps of Engineers ("the Corps of Engineers"), independent advice and recommendations on coastal engineering research priorities and additional functions as assigned by the Chief of Engineers.
3. Points of View: The Board, pursuant to 33 U.S.C. § 426-2, shall be composed of seven members who are appointed by the Secretary of Defense or the Deputy Secretary of Defense

DoD, pursuant to the authorizing legislation, shall appoint four officers of the Corps of Engineers to the Board as ex officio appointments, with one position being occupied by the Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers. The Chief of Engineers, in consultation with the Assistant Secretary of the Army (Civil Works), shall determine which three of the eight coastal division commanders shall be nominated as the other ex officio members of the Board. The Chief of Engineers, in determining which of the coastal division commanders shall serve on the Board, shall consider the individual's tenure as a division commander and his or her expertise in the matters before the Board.

The three civilian Board members shall be civilian engineers recommended by the Chief of Engineers for their expertise in the field of beach erosion, shore protection, and coastal processes and infrastructure.

The Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers, shall serve as the President of the Board.

DoD, in selecting potential candidates for the Board, reviews the educational, experiential, and professional credentials of individuals and bases its selection on this review and the subject matters expected to be handled by the Board. DoD has found that viewing the complex environmental issues facing the Board through an interdisciplinary advisory committee provides the Department and, more importantly, the American public, with a broader understanding of the issues on which to base subsequent policy decisions.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Board members who are not full-time or permanent part-time Federal officers or employees shall be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to

Membership Balance Plan  
Board on Coastal Engineering Research

serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal officers or employees shall be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as regular government employee (RGE) members.

The Board's membership balance is not static, and the Secretary of Defense or the Deputy Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the Board's Sponsor. In addition, the DoD, unless otherwise instructed by statute or presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: N/A
5. Candidate Identification Process: DoD, in selecting potential candidates to fill the three civilian Board members positions, reviews the educational and professional credentials of individuals with extensive professional experience and expertise in the fields of coastal engineering, beach erosion, shore protection, coastal processes and infrastructure, natural sciences (e.g., biological, ecological, etc.), and other related sciences. Potential civilian candidates may be identified by the Board's staff, current or past Board members, senior scientists, senior officials, and project managers of the Corps of Engineers.

Once potential civilian candidates are identified, the Designated Federal Officer (DFO), in consultation with the Board's President and senior experts from the Corps of Engineers, reviews the credentials of each individual and narrows the list of potential candidates. The DFO will forward the list of potential civilian candidates to the Secretary of the Army, through the Chief of Engineers and the Assistant Secretary of the Army (Civil Works). During the Secretary of the Army review, the Secretary will strive to achieve a balance between the educational and professional credentials of the individual candidates and the subject matter that is likely to be reviewed by the Board.

The Chief of Engineers, in consultation with the Assistant Secretary of the Army (Civil Works), shall determine which three of the eight coastal division commanders shall be nominated as ex officio members of the Board; nominations shall be submitted to the Secretary of Defense for approval. The Chief of Engineers, in determining which of the eight coastal division commanders shall serve on the Board, shall consider the individual's tenure as a division commander and his/her expertise in the matters before the Board. The choice of ex officio members shall be considered in conjunction with the annual renewals.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the Special Assistant to the Secretary of Defense for White House Liaison and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's statute, charter, and membership balance plan, as well as guidance issued by the Office of Management and Budget concerning registered Federal lobbyists. Following this review, the Secretary of the Army discusses the appointments with and obtains the approval of the Secretary of Defense



Membership Balance Plan  
Board on Coastal Engineering Research

or the Deputy Secretary of Defense to proceed with the appointments. Pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD-established or supported advisory committees and subcommittees, unless otherwise directed by statute or presidential directive.

The Secretary of the Army, as the Board's Sponsor, is authorized to administratively certify the appointment of Board members that were previously approved by the Secretary of Defense or the Deputy Secretary of Defense, and the Advisory Committee Management Officer is authorized to administratively certify the annual renewal of appointment of those members previously appointed.

Following approval by the Secretary of Defense or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

The Secretary of Defense, or the Deputy Secretary of Defense, may approve the appointment of civilian Board members and the three coastal division commanders for terms of service of one-to-four years with annual renewals. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service.

Membership vacancies for the Board and subcommittees will be filled in the same manner as described in the previous seven paragraphs.

6. Subcommittee Balance: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board.

The Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Board. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense. Subcommittee members, if not full-time or permanent part-time Federal officers or employees, will be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Those individuals who are full-time or permanent part-time Federal officers or employees will be appointed to serve as RGE members pursuant to 41 C.F.R. § 102-3.130(a).

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the Office of Management and Budget's Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions (79 FR 47482; August 13, 2014) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared: March 1, 2015